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JUDGE BUCHWALD  
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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

16 CV 2154

.....X	)	Civil Action No.
GLISPA GMBH	)	
	)	
Petitioner	)	
	)	
v.	)	ORDER TO SHOW CAUSE FOR AN
	)	ORDER OF ATTACHMENT IN AID OF
	)	ARBITRATION PURSUANT TO CPLR
CUPCAKE DIGITAL, INC.	)	7502(c)
	)	
Respondent	)	
.....X	)	

UPON the annexed Petition for an *Ex Parte* Order of Attachment in Aid of Arbitration, dated March 23, 2016, pursuant to Rule 64 of the Federal Rules of Civil Procedure and Articles 62 and 75 of the New York Civil Practice Law and Rules ("CPLR"), the Memorandum of Law in support thereof, dated March 23, 2016, and the Declaration of Thorsten Schmidt, Esq. dated March 23, 2016, and exhibits annexed thereto, wherein ~~it appears that~~ a cause of action for a money Judgment ~~exists~~ in favor of Petitioner glispa GmbH ("Glispa") and against Respondent Cupcake Digital, Inc. ("Cupcake" or "Respondent") for the sum of \$158,506.20 plus interest thereon in the approximate amount of \$12,217.14 plus \$35.38 for each additional day of default in the current amount of \$170,723.34, ~~and that~~ *is asserted and it is further asserted* Petitioner is entitled to recover that sum over all counterclaims known to it, plus costs and disbursements, ~~and it being further shown by the~~ *wherein* Petitioner ~~and supporting papers that the~~ *maintains that it* Petitioner is entitled to an Order of Attachment against the property of the Respondent pursuant to CPLR 6211 (a), 6212(21) and 7502(c), it is

**ORDERED**, that the above named Respondent show cause before a motion term of this Court, at Room 2270, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on March, 31, at 10:30 clock in the morning thereof, or as soon

thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 64 of the Federal Rules of Civil Procedure and Articles 62 and 75 of the New York CPLR attaching respondent's property during the pendency of this action from; and it is further

~~ORDERED~~ that, sufficient reason having been shown therefor, pending the hearing of plaintiff's application for an order of attachment against the property of the Respondent pursuant to CPLR 6211 (a), 6212(21) and 7502(c), and it is further

✓ ~~ORDERED~~ that Petitioner shall post a bond in the amount of \$ \_\_\_\_\_ as security, within ten (10) business days of this Order; and it is further

~~ORDERED~~, that the amount to be secured by this Order of Attachment, including any interest and costs, shall be \$170,723.34, and it is further mnb

~~ORDERED~~, that the United States Marshall for the Southern District of New York or any person appointed to act in his or her place and stead shall levy within this Court's jurisdiction upon Cupcake's equipment and accounts receivable from sales of apps and games for the purpose of securing and satisfying the aforesaid sum of \$170,723.34, by serving a copy of this Order by Federal Express and certified or registered mail, return receipt requested, and it is further

~~ORDERED~~, that Petitioner shall move within 5 days after levy on Respondent for an Order confirming this Order of Attachment, and it is further

mnb ~~ORDERED~~ that service of a copy of this Order of Attachment and the papers upon <sup>se</sup> ~~shall be served in person and by hand~~ 4 p.m. this afternoon which it is granted by Federal Express upon Respondent no later than two (2) business days after (March 24, 2016) the date hereof, shall be deemed good and sufficient service, and it is further

SO ORDERED.

Dated: New York, New York  
March 24, 2016

  
United States District Judge

mnb ~~ORDERED~~ that any answering papers be filed no later than 3:30 pm on March 29, 2016 with two (2) courtesy copies delivered to chambers at the same time, and it is further ~~ORDERED~~ that any reply papers be filed no later than 1 p.m. on March 30, 2016 with two (2) courtesy copies delivered to chambers at the same time.